

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

KEVIN MICHAEL LONG,

Plaintiff,

v.

KAISER PERMANENTE, *et al.*,

Defendants.

Case No. 1:23-cv-01394-BAM (PC)

ORDER TRANSFERRING CASE TO THE
SACRAMENTO DIVISION OF THE
EASTERN DISTRICT OF CALIFORNIA

Plaintiff Kevin Michael Long (“Plaintiff”), a county jail inmate proceeding *pro se*, has filed this civil rights action pursuant to 42 U.S.C. § 1983, together with a motion to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. (ECF Nos. 1, 2.)

In his complaint, Plaintiff alleges violations of his civil rights that took place in Stanislaus County, which is part of the Sacramento Division of the United States District Court for the Eastern District of California. Therefore, the complaint should have been filed in the Sacramento Division.

Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper court may, on the court’s own motion, be transferred to the proper court. Therefore, this action will be transferred to the Sacramento Division. This Court will not rule on Plaintiff’s request to proceed *in forma pauperis*.¹

¹ The Court notes, without deciding, that Plaintiff may be subject to 28 U.S.C. § 1915(g). *See Long v. USA*, Case No.

Good cause appearing, IT IS HEREBY ORDERED that:

1. This action is transferred to the United States District Court for the Eastern District of California sitting in Sacramento; and
2. All future filings shall refer to the new Sacramento case number assigned and shall be filed at:

United States District Court
Eastern District of California
501 "I" Street, Suite 4-200
Sacramento, CA 95814

3. This Court has not ruled on Plaintiff's request to proceed *in forma pauperis*.

IT IS SO ORDERED.

Dated: September 26, 2023

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE

1:13-cv-01368-SAB (E.D. Cal.) (dismissed on Sept. 11, 2013 as frivolous); *Long v. USA*, Case No. 1:13-cv-01228-JLT (E.D. Cal.) (dismissed on Jan. 16, 2014 as frivolous); *Long v. Stanislaus Cty. Super. Ct.*, Case No. 1:13-cv-01370-SAB (E.D. Cal.) (dismissed on May 1, 2014 for failure to state a claim); *Long v. USA California*, Case No. 1:13-cv-01256-GSA (E.D. Cal.) (dismissed on June 23, 2014 for failure to state a claim).